

**PART - IV**


(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

<p>Detailed opinion &amp; specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.</p>	<p>Recommended for diversion of 0.2808 ha. of forest land in Sy.No 297 A1A1A1A of Shetgeri Village, Ankola Taluk for approach road to private land Stone Quarry in Sy.No.310 of Shetgeri Village in favour of M/s Modern Road Makers Private Limited, Mumbai <b>(Online Proposal No: FP/KA/Road/9563/2015)</b></p>
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(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Signature:

Name:  
Designation:



**P. ANUR REDDY, IFS.,**

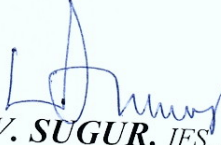
**Nodal Officer &**

**Additional Principal Chief Conservator of Forests  
(Forest Conservation) Bangalore.**

(Official Seal):

Countersigned by :

Name:  
Designation:



**G.V. SUGUR, IFS.,**

**Principal Chief Conservator of Forests  
(Head of Forest Force) Bangalore.**

(Official Seal):

N.D.O. No: 9 /2015-16.

Date: 20 -06-2015.

C. No: 511

No: A5(2)GFL.CR.30/2011-12

Office of the  
Principal Chief Conservator of Forests  
(Head of Forest Force)  
Aranya Bhavan, Malleswaram  
Bengaluru-560 003, dated -06-2015.

To

The Additional Chief Secretary to Government,  
Forest, Environment and Ecology Department,  
M.S. Building,  
Bengaluru-560 001.

Sir,

Sub: Diversion of 0.2808 ha. of forest land in Sy.No 297 A1A1A1A of Shetgeri Village, Ankola Taluk for approach road to private land Stone Quarry in Sy.No.310 of Shetgeri Village in favour of M/s Modern Road Makers Private Limited, Mumbai.-reg (Online Proposal No: FP/KA/Road/ 9563/2015)

- Ref: 1) Online Proposal letter No. FP/KA/TRANS/6512/2014 dated 28-02-2015 of the Project Director, National Highway Authority of India, Project Implementation Unit, Mangalore.
- 2) Letter No. B2.GFL.CR-3/2015-16 dated 23-04-2015 of the Chief Conservator of Forests, Kanara Circle, Sirsi.
- 3) Letter No.B4/FCA/GFL/CR-18/2014-15 dated 07-3-2015 of the Deputy Conservator of Forests, Karwar Division, Karwar.

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The General Manager, M/s Modern Road Makers Private Limited, Mumbai E.P.C concessionaire of the IRB West Coast, Tollway Pvt. Ltd., Mumbai who have taken up the work of formation of NH-66 on behalf of National Highway Authority of India has submitted the proposal through web portal for seeking approval for diversion of 0.2808 ha. of forest land for the above project under Forest (Conservation) Act, 1980, vide letter cited under reference (1) above. After examining, the Chief Conservator of Forests, Kanara Circle, Kanara has submitted the proposal for diversion of 0.2808 ha. of forest land in Sy.No 297 A1A1A1A of Shetgeri Village, Ankola Taluk for approach road to private land Stone Quarry in



Sy.No.310 of Shetgeri Village in favour of M/s Modern Road Makers Private Limited, Mumbai under the Forest (Conservation) Act, 1980.

The details of the forest land required are as under:

Sl No	Name of the				Status of Land	Extent (in ha.)
	District	Taluk	Hobli	Village & Sy.No		
1	Uttara Kannada	Ankola	Basagod	Shetgeri-297 A1A1A1A1	Reserved Forest	0.2808
<b>Grand Total</b>						<b>0.2808</b>

The purpose wise breakup of the forest land required for the project is as under:

Sl. No	Particulars	Extent (in ha.)
1	For formation of road 312.00 Mtr in Length x 9.00 Mtr Width = 2808.00 Sqmtr Or 0.2808 ha.	<b>0.2808</b>
<b>Total</b>		<b>0.2808</b>

The Deputy Conservator of Forests, Karwar Division, Karwar has inspected the site on 07-03-2015 and furnished the details in Form-A Part-II as under:

- (1) The proposed forest land is unavoidable and barest minimum.
- (2) There are 27 Jungle Wood trees and 19 Bamboo Clumps (238 Bamboos) are existing in the proposed area. Species wise & Girth Class wise details abstract enclosed.
- (2) The proposed forest area falls under Eco-Class-I (Open Forest) category.
- (3) There are Flora like ., *Anacardium occidentale*, *Acacia Catechu*, *Holligarna Sp*, *Strychnos nuxvomica*, Jungle Wood & Fauna like ., Panther are found in the proposed area.
- (4) There are no protected / archeological / heritage sites or defence establishments or important monuments in the area.
- (5) The proposed forest area does not form part of any Wildlife Sanctuary, National Park, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
- (6) Proposed area is the edge of the forest boundary.

- (7) There is no violation reported under Forest Conservation Act, 1980.

The non-forest land has not been identified by the User Agency in lieu of the forest area proposed for diversion, since, as per para 3.2(vii)(b) of Guidelines to the Forest (Conservation) Act, 1980, no Compensatory Afforestation shall be insisted upon for the proposal involving the diversion of forest land that is less than 1.00 ha. However, the User Agency has to pay the cost for raising of afforestation of 270 saplings at 10 times of the trees to be felled i.e.  $27 \times 10 = 270$ .

The User Agency has to pay the Net Present Value (NPV) of forest land being diverted under this proposal as per Hon'ble Supreme Court of India's Orders dated 28-3-2008 and 9-5-2008 in I.A.No.826 in I.A.566 in WP(C) No. 202/1995. The User Agency has given an undertaking to pay the Net Present Value towards 0.2808 ha. of forest land proposed for diversion.

With regard to compliance of Recognition of Forest rights (ROFR) Act 2006, the Chief Conservator of Forests, Kanara Circle, Sirsi has furnished copy of certificate in Form-I issued by the Deputy Commissioner, Uttara Kannada District regarding compliance of Forest Rights Act, 2006 and Rules 2008 as per guidelines issued by Ministry of Environment and Forest, New Delhi vide letter No. 11-9/1198-FC(pt) dated 3-8-2009/05-7-2013(Copy Enclosed).

The Chief Conservator of Forests, Kanara Circle, Sirsi has inspected the site on 18-4-2015 & 7-05-2015 respectively and in agreement with the recommendations of the Deputy Conservator of Forests, Karwar Division, Karwar has also recommended the above proposal for diversion forest land for formation of approach road to proposed stone quarry at Shetgeri Village in Malki / Private Sy.No.310 in favour of M/s Modern Road Makers Private Limited, Mumbai. In this regard specific comments of the Chief Conservator of Forests, Kanara Circle, Sirsi as mentioned in Part-III of the proposal may be perused.

The User Agency i.e. National Highway Authority has also given an undertaking and ensured vide their letter dated 16<sup>th</sup> Of June 2015 , that for and on behalf of the their Concessionaire M/S IRB West Coast Tollway Pvt. Ltd., that the approach road formed in the forest land will be closed once the project is completed and would not allow the Concessionaire to misuse the permission to




supply the stones locally. The concessionaire also has given an undertaking to that effect .

Under the circumstances, it is requested to kindly move this proposal with the Government of India for according the in-principle (Stage-I) approval for diversion of 0.2808 ha. of forest land in Sy.No 297 A1A1A1A of Shetgeri Village, Ankola Taluk for approach road to private land Stone Quarry in Sy.No.310 of Shetgeri Village in favour of M/s Modern Road Makers Private Limited, Mumbai (**Online Proposal No: FP/KA/Road/9563/2015**) under section-2 of Forest (Conservation) Act,1980 subject to the conditions appended in **Annexure 'A'**.

The proforma particulars along with relevant documents in 4 sets are submitted herewith for kind perusal and further action.

Yours faithfully,

  
Principal Chief Conservator of Forests  
(Head of Forest Force), Bangalore.

Copy to the Chief Conservator of Forests, Kanara Circle, Sirsi for information and necessary action.

Copy to the Deputy Conservators of Forests, Karwar Division, Karwar for information and necessary action.


Copy to the Project Director, National Highways Authority of India, Project Implementation Unit, No.7-35/10(4) Shree Mahalingeshwara Temple Road, Near Pumpwell, Kankanady, Mangalore-575 002 for information and necessary action.

### ANNEXURE 'A'

1. The legal status of Forest land shall remain unchanged and it shall continue to be as forest land.
2. The lessee shall pay lease rent as fixed by the Govt. from time to time.
3. The lease tenure is for a period of 4 (Four) years.
4. The leased out area should be used for the purpose for which it is granted. In case the land is not used for the stipulated purpose within one year or when it is no longer needed for the stipulated purpose, the area should be resumed to the Forest Department under Section 82 of Karnataka Forest Act, 1963. The concerned Chief Conservator of Forests / Deputy Conservator of Forests is authorized to take necessary action in this regard.
5. No residential buildings shall be permitted in the proposed forest area.
6. The Karnataka Forest Act, 1963 and Rules, 1969 and other relevant Acts & Rules will be applicable for any violation.
7. The User Agency has to pay the cost for raising plantation at 10 times of the trees to be felled i.e. 27 trees x 10 times = 270 sapling.
8. Avenue Plantation shall be taken up by User Agency along the road on either side (200 plants per km.), at the project cost. The plantation shall be maintained at the project cost for 7 years.
9. The User Agency has to pay the Net Present Value (NPV) of forest land diverted under this proposal as per Orders dated 28-3-2008 and 9-5-2008 of the Hon'ble Supreme Court of India.
10. Only minimum number of trees shall be cut based on actual requirement of the project.
11. The User Agency shall pay the extraction and transportation charges of trees as estimated by the Deputy Conservators of Forests from the proposed forest land.
12. The User Agency shall ensure that there should be no damage to the available fauna and other flora.
13. The User Agency should pay cost of soil erosion controlling measures, in accordance with the estimate prepared by the concerned DCFs, to be carried out at the adjacent forest areas to a width of 100 Mtrs all along the road.
14. The shoulder drains should be suitably covered with stone pitching in order to control soil erosion.



- 15.No crushing/breaking of stones shall be allowed inside forest area.  
Readymade material shall be used for improvement of such road.
- 16.No labour camp shall be established on the forest land.
- 17.All waste / debris generated shall be scientifically disposed off outside the forest area.
- 18.All precautions shall be taken to ensure fire protection to the forest when the road is being laid.
- 19.No work shall be allowed after sunset.
- 20.Any damage to forest area due to such improvement and widening works shall be compensated by the User Agency. The extent of damage shall be assessed by the concerned Deputy Conservator of Forests.
- 21.The lessee shall not sub-lease, mortgage & hypothecate the forest area.
- 22.The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986, if required.
- 23.The User Agency shall also abide by all the conditions imposed upon by Government of India, the Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force).

  
Principal Chief Conservator of Forests  
(Head of Forest Force), Bangalore.